REMARKS

Initially, Applicant notes that the remarks and amendments made by this paper are consistent with the proposals presented during the telephone call of November 9, 2007.

By this paper, claims 1, 9-16, & 24-27 have been amended, claims 28-29 have been canceled and no claims have been added such that claims 1-27 & 30-31 now remain pending.[1] Of the pending claims, claims 1, 12, 14, 16, and 27 are the only independent claims at issue.

The Office Action mailed October 11, 2007 considered and rejected claims 1-31. Claims 1, 3, 8-11, 16, 18, and 23-26 were rejected under 35 U.S.C. §103(a) as being unpatentable over Tsuchiya (U.S. Patent 5,353,283) hereinafter Tsuchiya in view of Jackson et al. (US Patent 6,826,275) hereinafter Jackson. Claims 2, 6, 7, 17, 21, 22 were rejected under 35 U.S.C. 103(a) as being unpatentable over Tsuchiya in view of Jackson and further in view of Burbeck et al. (U.S. Patent 7,181,536) hereinafter Burbeck. Claims 4 and 19 were rejected under 35 U.S.C. §103(a) as being unpatentable over Tsuchiya and Jackson in view of Waclawsky (U.S. Patent 5,493,689) hereinafter Waclawsky. Claims 14-15, 27-29 rejected under 35 U.S.C. 103(a) as being unpatentable over Tsuchiya in view of Krishnamurthy et al. (U.S. Patent 6,910,024), hereinafter Krishnamurthy. Claims 5 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over in view of Jackson and Burbeck and further in view of Owen et al. (U.S. Patent 6,950,438), hereinafter Owen. Claims 30-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tsuchiya in view of Krishnamurthy and further in view of Burbeck.[2]

As recited in the claims, the present invention is generally directed to embodiments for custom routing of messages between computers over one or more routers. For example, claim 1 recites a method of routing a message from a sending computer system to a receiving computer system such that a routing path for the message can be changed before the message reaches the receiving computer system. In the method of claim 1 a router receives a message that originates at the sending computing system and that needs to be delivered to the receiving computer system. The message contains at least three discrete portions comprising a router list portion

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[1] Support for the amendments and new claims are found throughout the Specification, including, but not limited to, the disclosure of pages 13, 15 and 20 of the Specification as originally filed.

[2] Although the prior art status of the cited art is not being challenged at this time, Applicant reserves the right to challenge the prior art status of the cited art at any appropriate time, should it arise. Accordingly, any arguments and amendments made herein should not be construed as acquiescing to any prior art status of the cited art.

identifying one or more routers, a destination identifier portion, and a message content portion. The router then accesses routing rules specifying how the message should be routed to the receiving computing system. At least a portion of one of the three discreet portions of the message is then compared to the routing rules to determine whether the router list portion of the message should be reconfigured by adding or removing routers form the router list portion of the message. The router then removes its identifier from the router list portion of the message and the message is forwarded to the router at the top of the router list portion of the message.

The remaining independent claims are closely related to claim 1. Independent claim 16 recites limitations similar to claim 1, but as a computer program product rather than a method. Independent claim 12 recites many of the limitations of claim 1, but replaces 2 acts with a step. Independent claim 14 is directed to routing the message from the perspective of the sending computing system, rather than a router. Independent claim 14 removes the limitation of the router removing itself from the routing lists and contains an additional limitation of having content logic rules. Finally, independent claim 27 recites limitation similar to claim 14, but as a computer program product.

The Office Action cites Tsuchiya in combination with Jackson to reject independent claims 1, 12, and 16. Tsuchiya discloses a method for transmitting a packet via a sequence of nodes in a network. The packet contains a sequence of node identifiers and a pointer pointing to a particular node identifier. The node selects a forwarding table from a set maintained at the node. An entry in the table is referenced based on the identifier pointed to by the pointer. The packet is then transmitted to the next node indicated by the retrieved forwarding table entry.

Jackson is cited a compensating for Tsuchiya's failure to disclose the router adding or removing a router from the router list portion of the message and an act of removing the router from the router list portion of the message before routing the message. Jackson is directed to embodiments for controlling call features in a telephone network. The relevant portion of Jackson discloses a call being routed through a "router". The router removes the destination from the routing list and routes the call to the destination. The destination then sends the message to the next call feature through the router and the router once again removes the destination before routing the message. This process is repeated until no more destinations remain.

Applicant respectfully submits that Jackson fails to compensate for the deficiencies of Jackson. For example, while Jackson does disclose that the router is modifying the router list, claim 1 requires that the router remove **the router itself** from the routing list. In Jackson, the router is never included in the routing list in as much as the routing list only identifies the call features that are to be added to the call. Instead, in Jackson, there is only one router identified. Even if the call features were considered to be routers, the call features do not modify the routing list, only the call router does. On line 30 of column 5 of Jackson, it clearly states that the router is removing the call feature from the routing list, not **the router itself** as required in the claims. For at least the reason that Jackson does not teach removing the router in combination with the other recited elements of the claim, the combination of Tsuchiya and Jackson fail to render the present claims obvious.
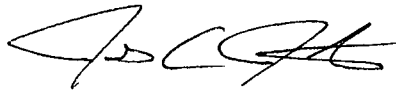
Independent claims 14 and 27 were rejected by Tsuchiya in view of Krishnamurthy. Krishnamurthy is cited by the Office Action to compensate for Tsuchiya's failing to teach a cached router list. However, Applicant respectfully submits that the combination of Tsuchiya and Krishnamurthy fail to teach at least the limitation of referencing content logic stored at the sending computer system, wherein the content logic describes routing rules based on the discrete content portion of the message. The Office Action cites Tsuchiya as teaching this limitation, but Applicant respectfully submits that Tsuchiya fails to teach at least this element. The claimed messages require at least three discrete portions comprising a final destination, a routing list, and message content. By having three discrete portions, the portions of the message are distinct and do not overlap. Therefore, accessing the message content portion of the message does not contain the routing list (as recited in claims 14 and 27, for example). The content logic is based on the message content portion of the message and adjusts the routing of the message based on the content. For instance, a message having an attached picture may be routed differently that a plain text message. In the rejection of the claims based on content logic, the Office Action cites the content of Tsuchiya's RC field as being used to adjust the message routing. However, the RC field is not the content portion of the message as claimed. Instead, the RC field is part of the routing table portion of the message. This rejection of claim 1 cites the RC field as teaching a routing list further supporting that the RC field is not properly considered the content portion of the message.

In view of the foregoing, Applicant respectfully submits that the other rejections to the claims are now moot and do not, therefore, need to be addressed individually at this time.[3] However, it will be noted that many of the dependent claims even further distinguish the claims from the cited art, and for additional reasons. As an example, many of the dependent claims contain limitations similar to independent claims 14 and 27 requiring routing rules that are based on content logic. As described above, the cited art fails to teach content logic.

In view of the foregoing, Applicant respectfully submits that the pending claims are in condition for immediate allowance. In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney at 801-533-9800.

Dated this 11th day of January 2008.

Respectfully submitted,

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[3] It will be appreciated, however, that this should not be construed as Applicant acquiescing to any of the purported teachings or assertions made in the last action regarding the cited art or the pending application, including any official notice. Instead, Applicant reserves the right to challenge any of the purported teachings or assertions made in the last action at any appropriate time in the future, should the need arise